

REMARKS

The Advisory Action mailed on December 14, 2004, states that for purposes of appeal, the proposed amendment will be entered. Because there is no statement that the amendment mailed on November 12, 2004 has been entered, the changes requested by the amendment mailed on November 12, 2004 are included with this amendment. In addition, independent claims 1, 14, 26, and 27 are amended to remove reference to a cast solid or a step of casting. As a result of this amendment, claims 18 and 25 are canceled. Claims 26 and 27 are amended to characterize the solid detergent composition as a block. This amendment is supported by the specification at, for example, page 3, lines 3-21. Independent claims 1, 14, 26, and 27 are additionally amended to characterize the amount of binding agent as sufficient to provide the detergent composition as a solid at room temperature within about 20 minutes of extrusion or to characterize that the step of hardening the mixture to form the solid detergent composition as occurring within about 20 minutes of extruding the mixture. This amendment is supported by the specification at, for example, page 20, lines 21-23.

No new matter is introduced by the above amendment, and entry thereof is requested. Upon entry, claims 1-6, 8-11, 13-17, 20-23, 26, and 27 are active in this application.

In the event the Examiner imposes a restriction or election of species requirement, the Applicants reserve the right to make an election different from the election previously made.

It is submitted that the presently claimed invention is not anticipated and would not have been obvious from *Miracle et al.* (U.S. Patent No. 5,576,282).

The invention is directed to a solid detergent composition and to a method for solidifying a detergent composition. The solid detergent composition includes an effective amount of a cleaning agent to provide soil removal and an effective amount of a binding agent dispersed throughout the solid detergent composition to provide the detergent composition as a solid at room temperature. The binding agent comprises a result of mixing about 10 wt.% to about 80 wt.% alkali metal carbonate, about 1 wt.% to about 40 wt.% alkali metal bicarbonate, and a sufficient amount of water to react with the alkali metal carbonate and the alkali metal bicarbonate. The Applicants discovered that the binding agent can be used to solidify or harden the detergent composition to provide an extruded or cast solid. The binding agent is provided in an amount sufficient to allow the detergent composition to solidify within about 20 minutes of extrusion.

Miracle et al. fail to disclose or suggest a solid detergent composition or a method for solidifying a detergent composition that utilizes a binding agent according to the present invention or provide a sufficient amount of a binding agent according to the present invention so that the composition solidifies within about 20 minutes of extrusion. Specifically, *Miracle et al.* fail to disclose a binding agent comprising a result of mixing about 10 wt.% to about 80 wt.% alkali metal carbonate, about 1 wt.% to about 40 wt.% alkali metal bicarbonate, and a sufficient amount of water to react with the alkali metal carbonate and the alkali metal bicarbonate. The outstanding Office Action fails to explain why one having ordinary skill in the art would have received the suggestion to modify *Miracle et al.* to achieve the presently claimed invention. Specifically, no rationale has been provided to explain why one would modify *Miracle et al.* to include a binding agent comprising a result of mixing about 10 wt.% to about 80 wt.% alkali metal carbonate, about 1 wt.% to about 40 wt.% alkali metal bicarbonate, and a sufficient amount of water to react with the alkali metal carbonate and the alkali metal bicarbonate as provided by the present invention.

The previous Office Action refers to Example VII of *Miracle et al.* for the disclosure of a "laundry bar suitable for hand-washing soiled fabrics." It is pointed out that the laundry bar disclosed by Example VII of *Miracle et al.* does not include a binding agent according to the present invention. Example VII of *Miracle et al.* fails to disclose a binding agent comprising a result of mixing about 10 wt.% to about 80 wt.% alkali metal carbonate, about 1 wt.% to about 40 wt.% alkali metal bicarbonate, and a sufficient amount of water to react with the alkali metal carbonate and the alkali metal bicarbonate. According to Example VII of *Miracle et al.*, sodium carbonate is present at a level of 5 wt.%, which is well below the lower limit of about 10 wt.% required by the claimed invention. Example VII of *Miracle et al.* fails to disclose the presence of any alkali metal bicarbonate, which is a component of the claimed invention.

It is additionally pointed out that Example VII of *Miracle et al.* fails to provide sufficient amount of a binding agent comprising alkali metal carbonate, alkali metal bicarbonate, and water to provide a solid within about 20 minutes of extrusion.

It is believed that the "bar" disclosed in Example VII of the *Miracle et al.* relies upon a solidification mechanism that is completely different from the binding agent according to the present invention. It is believed that the "bar" disclosed by Example VII of *Miracle et al.* relies upon the 30 wt.% of C₁₂ linear alkyl benzene sulfonate and the 2 wt.% coconut

monoethanolamide as waxy solids that hold the other solid components of the composition together. Clearly, there is not a binding agent resulting from an interaction of alkali metal carbonate, alkali metal bicarbonate, and water to hold the "bar" of Example VII of *Miracle et al.* together. Furthermore, no reason has been offered to suggest modifying Example VII of *Miracle et al.* to replace the binding agent of C₁₂ linear alkyl benzene sulfonate and coconut monoethanolamide with a binding agent comprising a result of mixing about 10 wt.% to about 80 wt.% alkali metal carbonate, about 1 wt.% to about 40 wt.% alkali metal bicarbonate, and a sufficient amount of water to react with the alkali metal carbonate and the alkali metal bicarbonate.

The previous Office Action additionally points to *Miracle et al.* at column 12, lines 18+ for the disclosure of various builders. It is recognized that *Miracle et al.* mention carbonates and bicarbonates in a list of builders. Clearly, carbonate is a well-known builder. It is pointed out, however, that *Miracle et al.* fail to recognize that carbonate and bicarbonate can be provided so that they react with water to form a binding agent that will solidify a composition. According to the claimed invention, the water is present to react with the alkali metal carbonate and the alkali metal bicarbonate to form the binding agent. The Examiner's attention is directed to the specification of the above-identified patent application at page 21, lines 6-19. Such a teaching is absent from the disclosure of *Miracle et al.*

Furthermore, although *Miracle et al.* mention carbonate and bicarbonate as possible builders, there is no disclosure by *Miracle et al.* of how much of the carbonate and the bicarbonate should be used together. Clearly, there is no suggestion by *Miracle et al.* that alkali metal carbonate should be provided at a level of about 10 wt.% to about 80 wt.% and alkali metal carbonate should be provided at a level of about 1 wt.% to about 40 wt.%, and that a sufficient amount of water should be provided to react with the alkali metal carbonate and the alkali metal bicarbonate to provide a binding agent so that the resulting detergent composition is provided as a solid. Such a disclosure is missing from *Miracle et al.*

The outstanding Office Action fails to demonstrate why one having ordinary skill in the art would have modified *Miracle et al.* to provide the carbonate, bicarbonate, and water components in amounts sufficient to achieve a binding agent that results in a solidified detergent composition. Nowhere do *Miracle et al.* disclose or suggest using carbonate, bicarbonate, and water as a binding agent. Furthermore, nowhere do *Miracle et al.* disclose or suggest using a

sufficient amount of carbonate, bicarbonate, and water to cause a detergent composition to solidify within about 20 minutes of extrusion.

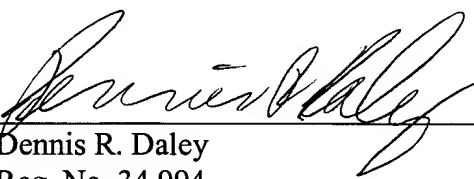
It is believed that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: January 11, 2005




Dennis R. Daley
Reg. No. 34,994
DRD:jjb